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Office Memorandum • UNITED STATES GOVERNMENT

CII-221

TO : The Attorney General

DATE: October 23, 1962

FROM : Nicholas deB. Katzenbach
Deputy Attorney General

SUBJECT: Proclamation re Cuba

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Under the proclamation as presently drafted all ships bound for Cuba, or in that general direction, could be stopped, boarded and searched. If found to have contraband it would be told to head for another port or would be taken into custody if it refused to do so.

Ships not headed for Cuba would not be searched and boarded, and if a ship headed for Cuba were to alter course so as to go in a totally different direction it would not be subject to search.

You have inquired whether or not it would be possible to search Russian vessels even though they were not headed for Cuba. I think this might be accomplished in two ways: (1) We could search all vessels within a prescribed zone and this zone could be as large as reasonable. The British included all the North Atlantic in World War II. But it would hardly seem reasonable for the United States to create a zone that large. (2) I think it would be possible to search a Russian vessel, even though it altered and changed course, if we had evidence that it had previously been bound on a course for Cuba. This would be justified on the basis that the alteration of course was a ruse and that the vessel intended to proceed nonetheless to Cuba.

To accomplish this, however, we would have to proceed quickly to visit and search any such vessels before they had clearly altered their course and maintained their new course for a sufficient length of time to indicate a change of mind. In addition, the order would require some minor change of phraseology to accomplish this, and we would have to detail presently some Naval vessels to the place where the Cuban boats now are.

Sec Del has seen

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Washington National Personnel Center, RG 330,
OASD (C) A File; FRC 71A2896
Misc. Papers Regarding Cuba,
20 Oct. - 25 Oct. 1962